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Please pass to your Business Management & Leadership Team

## Centre Assessed Grades & Subject Access Requests – what are Schools Obligations?



Exam Results Day is coming close & we are being asked about what schools need to do if they get Subject Access Requests.

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## These might be especially likely because of Centre Assessed Grading (CAGS)

**Feeling unsure?** Then read on .....

A while back, following the publication of the revised grading process from Ofqual we published some guidance which you can find here:

<https://onewest.co.uk/free-resources/news-and-bulletins/newsletters/>

**BUT** - we know this sort of thing can feel complicated & right now time might feel short as you prepare for the complexities of the new school term.

**SO** - lets boil this down to the fundamentals:

If you receive a SAR **prior** to exam results day there is still an exemption under the Data Protection Act. You now have 40 days from result publication to respond.

If a SAR is made **on** or **after** results day it must be responded to in the usual time frame of one month. The ICO has confirmed that they have the status of normal requests.

**BUT** - & there are some buts:

The ICO understands there may be delays because of the challenges schools are facing. They have indicated as long as schools are trying hard to answer, it's unlikely they would take enforcement action.

If late though, schools will need to demonstrate that it has engaged with the requestor, clarified any difficulties and suggested a revised timeframe.

Also it's not without limits - the one month timeframe may be extended for a further two months, but only if there are complexities and we think it would be hard to see how this would apply in this situation.

**ALSO** – there are some other things to think about.

Lets face it – this is emotional stuff. Given student anxieties, it would be good for staff support to be available to provide explanations and reassurance.

Also you need to know you are limited in what you can release that relates to the student's ranking. That can only be done with the consent of the other students in the year group.

However watch out! If students collude with each other and provide consent as a group, schools would have little choice other than to release this information.

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When you communicate it is well worth pointing out the final mark awarded rests with the Exam Board not the school. It might not be clear they moderate the schools assessed grades.

Crucially you need to recognise what are actually FOI's or perhaps a student or parental complaint and get them into the appropriate process early. It is likely that alongside SARS, that an increased amount of FOI's and complaints will be received. So field them out so you know what you are dealing with.

**SO** – How can you be best prepared?

Apart from distributing this bulletin, remind staff:

- To familiarise themselves with how to respond to a Subject Access Request and ensure that they are aware of a central point of contact to co-ordinate requests.
- To record rigorously to avoid embarrassment in the event of a SAR being made.

**And absolutely key –**

- Make sure staff can distinguish between SAR's and other requests. Information as to how the school has managed the process for awarding grades or information not related to the requestor personally may actually needed to be treated as a Freedom of Information Request or as a complaint.
- It may assist to have those making requests to complete a form and ensure you log it. It will help narrow down different types of request & help you track where you are.

We think as were sure do you that there is some uncertainty as to what will happen with different types of request in the midst of CAGS – rest assured we are there to help and advise.

Feel free to drop us a line: [one\\_west@bathnes.gov.uk](mailto:one_west@bathnes.gov.uk)

If you haven't looked & are interested check out our website: [onewest.co.uk](http://onewest.co.uk)

& for those who are members with us, further resources in:  
<https://onewest.co.uk/my-account/members-area/>

**Thanks & we look forward to being of assistance.**

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## The One West Team



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**Our mailing address is:**

[One\\_West@bathnes.gov.uk](mailto:One_West@bathnes.gov.uk)

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